

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: AVANDIA MARKETING, SALES)	MDL No. 1871
PRACTICES AND PRODUCTS LIABILITY)	07-MD-01871-CMR
LITIGATION)	
)	

MOTION FOR APPOINTMENT TO PLAINTIFF'S STEERING COMMITTEE

COMES NOW Turner W. Branch of the Branch Law Firm of Albuquerque, New Mexico and Houston, Texas and moves that this Honorable Court, in compliance with subparagraph arabic number 2. of Pretrial Order No. 103 and in conjunction therewith, that consideration be given to this Motion as my Application for Appointment to the Plaintiff's Steering Committee in the Avandia Litigation. In submitting this Motion to the Court, I can say that I have been actively involved in this MDL litigation to date; that I have filed hundreds of cases in the MDL with this Honorable Court, MDL No. 1871; that I, along with my law firm, have very strongly, heavily, and actively engaged in common benefit work for and on behalf of this litigation and committed to the completion of the same.

I am very familiar with the manual for Multi-District Litigation and Procedure in that I have personally served on MDLs since being appointed by the Honorable Matthew Perry of the United States District Court in South Carolina, as Vice Chairman of the MDL governing L-tryptophan Litigation in 1989.

Thereafter, I and my firm, worked on Breast Implant Litigation with the Honorable Samuel Pointer, United States District Judge in Birmingham, Alabama to this case and was assigned to personally work on the Baycol Litigation where I was one of the Vice-Chairs of the Plaintiff's Steering Committee and headed up the Discovery Committee for the Baycol litigation

against Bayer Pharmaceutical and appointed to serve in this position. This appointment came from United States District Judge Michael Davis of Minneapolis, Minnesota.

I also had the pleasure and responsibility of serving as Vice Chairman of the Norplant Contraceptive Litigation docketed in the Eastern District of Texas, in Beaumont, Texas and therein fulfilled and performed my duties, responsibilities and obligations as such, to completion in that litigation as I did in all other MDL upon which I was appointed to work on.

There are numerous other Mass Torts that I have worked on and been appointed to positions of leadership and responsibility in.

I served actively in the Fen-phen Litigation and represented numerous clients even though I did not serve in a formal capacity in that particular MDL. I however, did work in the discovery dispository, as did staff members from our law offices and the MDL Discovery Committee.

We actively worked on the Vioxx Litigation and I was part of the trial team in Judge Carol E. Higbee's Court in New Jersey and had eleven (11) cases scheduled for consideration and trial when the National Vioxx Settlement was reached. I was originally appointed as State Liaison Counsel to the MDL by the Honorable Eldon E. Fallon, United States District Court for the District of Louisiana. I was also admitted to practice law in New Jersey by the New Jersey Supreme Court, on Motion, to assist in the preparation and trial of the Vioxx cases.

I have also had extensive experience and training in doing both preparatory work and trial work in trials in Class Actions, as well as Multi-District Litigation cases. Thus, I am attaching herewith my resume, marked as Exhibit "A" to this, my Application for Appointment to the Plaintiff's Steering Committee and I am asking that I be considered as co-chairman of the

Plaintiff's Steering Committee, in that I have 800 cases upon which we are continuing to work on and would also ask to be considered for appointment to the Trial Team Committee to work with and assist the Plaintiff's Steering Committee Trial Team in the completion of preparation and trial of the first Avandia case presently set for October of 2010.

As this Honorable Court can ascertain from my resume, I am certified as a Civil Trial Advocate in New Mexico and by the National Board of Trial Advocacy and have had the honor of being selected to many trial groups because of my hard work and dedication as a trial lawyer. Thus, I respectfully request of this Honorable Court, consideration and hopefully appointment to the position of Chair or Vice Chair of the Plaintiff's Steering Committee for Avandia Litigation and also being approved as a member of the Avandia Plaintiff's Steering Committee Trial Team. I will remain committed and assure the Court that I will continue to work diligently, tenaciously and positively.

Respectfully submitted,


BRANCH LAW FIRM

By: 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 24, 2010 the foregoing Motion for Appointment to Plaintiff's Steering Committee was electronically filed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all counsel of record of the CM/ECF System, via United States First Class Mail.



Turner W. Branch

